

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Sean H. Rios, a Special Agent with the Drug Enforcement Administration (DEA), being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent (SA) of the DEA and as such, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States who is empowered to conduct criminal investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section, 2516.
2. I have conducted and assisted in investigations into the unlawful possession, possession with the intent to distribute, distribution of controlled substances, importation of controlled substances, and the associated conspiracies in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), 846, 952, and 963. I have received detailed instructions and conducted various complex investigations concerning the unlawful importation and distribution of controlled substances, the laundering and concealment of drug proceeds, the illegal use of communication facilities by drug traffickers in furtherance of their criminal activities and conspiracies to engage in these activities. I have experience conducting surveillance operations, analyzing telephone records, interviewing witnesses, executing search and arrest warrants, participating in wire and electronic physical surveillance and other investigative techniques. The investigations in which I have participated have resulted in the arrest, prosecution and conviction of individuals who have smuggled, received and distributed controlled substances, including marijuana and cocaine as well as the seizure of those illegal drugs and proceeds of the sale of those illegal drugs.

3. Because of my personal participation in this investigation, and because of information provided to me by other agents and officers, and my personal observations, I am familiar with the facts and circumstances of this investigation. My experience in investigating drug offenders, my education, my conversations with senior drug agents and chemists, and my specialized training formed a basis of the opinions and conclusions set forth below which I drew from the facts set forth herein.
4. The information contained in this affidavit is based on my personal knowledge and observations during the course of this investigation; on information conveyed to me by other law enforcement officials; and on my review of records, documents, and other physical evidence obtained during this investigation. This affidavit is not intended to include every fact observed by me or known by the government.
5. Based on my training and experience, my knowledge of this case and my discussions with other law enforcement officers, I am familiar with narcotic traffickers' and money launderers' methods, schemes, and operations, and know:

FACTS IN SUPPORT OF PROBABLE CAUSE

6. On September 12, 2024 at approximately 9:39 a.m., Caribbean Air Marine Branch (CAMB) MPA Troy-092 while patrolling in the area of the Mona Passage, Puerto Rico (PR), spotted a surface target of interest (STOI), approximately nine (9) nautical miles northwest of Desecheo Island, PR. The STOI was described as a white, 25 foot-in-length, Mako vessel, with two outboard engines bearing PR registration PR-6120-AC, name: Polo (hereinafter referred to as the TARGET VESSEL), and occupied by two (2) individuals. The two (2) individuals later identified as Gonzalo VELAZQUEZ-Ayala (Captain) and Angel Antonio NAZARIO-Aponte (Crewmember).

7. The MPA maintained constant surveillance of the TARGET VESSEL while relaying updated positions to two (2) CBP-AMO patrol vessels patrolling nearby. At approximately 11:14 a.m., the CBP patrol vessels approached the TARGET VESSEL while energizing lights and sirens and announcing law enforcement presence. The TARGET VESSEL was stopped approximately five (5) nautical miles (NM) northwest of Desecheo Island, PR. While approaching the TARGET VESSEL, CBP-MIA's detected a strong odor of silicone glue, based on the agents' training and experience, it is common for drug traffickers to use on vessels outfitted with homemade hidden compartments in order to conceal abnormalities or openings onboard the vessels. VELAZQUEZ-Ayala and NAZARIO-Aponte stated they were out fishing. However, there was no catch onboard the TARGET VESSEL. Subsequently, VELAZQUEZ-Ayala gave consent to search the TARGET VESSEL. Shortly after, they (VELAZQUEZ-Ayala and NAZARIO-Aponte) were escorted to the nearby CBP-AMO station along with the TARGET VESSEL due to the malfunction of one outboard motor and for safety concerns.
8. Upon arriving at said station, a PRPB Agent, with his assigned canine (K-9), conducted a free air sniff of the TARGET VESSEL and positively alerted to the presence of narcotics. Subsequently, CBP Marine Interdiction Agents (MIAs) conducted an inspection of the TARGET VESSEL, within their policies and procedures, and removed a piece of material not belonging to the vessel. Inside the flooring of the TARGET VESSEL's center console, MIA's recovered multiple brick-shaped packages of a white powdery substance that field tested presumptively positive to the properties of cocaine and weighed approximately 181.0 kilograms.
9. The two individuals arrested (VELAZQUEZ-Ayala and NAZARIO-Aponte) were read their Constitutional Rights in their native language. Both individuals stated that they understood their rights, both individuals waived their Constitutional Rights and agreed to answer questions. While

being interviewed by DEA agents, VELAZQUEZ-Ayala and NAZARIO-Aponte admitted to having knowledge of the drugs onboard the TARGET VESSEL.

CONCLUSION

10. Based upon my training, experience, and the abovementioned facts, I have probable cause to believe that: Gonzalo VELAZQUEZ-Ayala and Angel Antonio NAZARIO-Aponte have committed the following violation of Federal Laws: Possession with Intent to Distribute five (5) kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II, Narcotic Drug Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(A)(ii); Possession with Intent to Distribute Cocaine Aboard a Vessel of the United States, in violation of Title 46, United States Code, Sections 705703(a)(1). I hereby declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

SEAN RIOS

Digitally signed by SEAN
RIOS
Date: 2024.09.13 12:54:46
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Sean H. Rios
Special Agent
Drug Enforcement Administration

Sworn in accordance with the requirements of Federal Rule of Criminal Procedure 4.1 by telephone at 1:19 p.m. on September 13, 2024.



Digitally signed by Hon.
Giselle López-Soler

HONORABLE GISELLE LÓPEZ-SOLER
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF PUERTO RICO